

I CAN Privacy Notice for candidates

I CAN is committed to protecting the privacy and security of your personal data.

The purpose of this privacy notice is to let you know clearly how I CAN collects and uses personal data about you for the purposes of the recruitment exercise that you are taking part in (whether as an employee, worker or contractor).

I CAN is a 'data controller'. This means that we are responsible for deciding how we hold and use personal data about you. We are required under data protection legislation to notify you of the information contained in this privacy notice. In this Privacy Notice, references to "I CAN", "we", "us", "our" and "the organisation" mean the I CAN charity, including our schools. The registered address of I CAN is 31 Angel Gate, Goswell Road, London, EC1V 2PT. Your main point of contact for data protection queries is the Director of Corporate Services, who can be contacted by emailing SWilliams@ican.org.uk.

It is important that you read and understand this notice so that you are aware of how and why we are using your personal data.

How is your personal data collected and stored?

In connection with your application for work with us, we will collect, store, and use personal data about you that you have provided to us directly as part of the application process. This may include, for example, information in application forms, CVs or resumes and covering letters, or collected through interview or other forms of assessment, including online tests.

We may also collect personal data about you from the following sources:

- Recruitment agencies if you are apply through this route
- Disclosure and Barring Service in respect of criminal convictions where the role you have applied for requires such a check
- Your named referees
- Information from third parties from a publicly accessible source, where appropriate.

Personal data that we collect about you from third parties may include:

- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process)
- Employment records (including job titles, working hours, training records, qualifications, professional memberships and employment history, including start and end dates with previous employers)
- Information about your entitlement to work in the UK

We may collect, store and use the following categories of more sensitive personal data about you:

- Information about criminal convictions and offences.
- Information about your race or ethnicity, religious beliefs and sexual orientation.
- Information about your health, including any medical condition(s), health and sickness records.

Your personal data will be stored in a range of different places, including on your application records, in HR management systems and on other IT systems (including email).

Why do we collect and use personal data about you?

I CAN has a legitimate interest in processing your personal data during the recruitment process and for keeping records of the process. Processing personal data about candidates allows I CAN to manage the recruitment process,

assess and confirm a candidate's suitability for employment or engagement and decide who to make an offer to. I CAN may also need to process personal data about candidates to respond to and defend against legal claims.

I CAN needs to process personal data about you to take steps at your request prior to entering into a contract with you. It may also need to process your personal data to enter into a contract with you.

In some cases, I CAN needs to process personal data about you to ensure that it is complying with its legal obligations. For example, it is required to check a successful candidate's eligibility to work in the UK before employment starts.

I CAN may process special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, for equal opportunity monitoring purposes. It may also collect information about whether or not candidates are disabled to make reasonable adjustments for candidates who have a disability. I CAN processes such information to carry out its obligations and exercise specific rights in relation to employment.

For some roles, I CAN is obliged to seek information about criminal convictions and offences. We will only collect this information where we are legally able to do so. Where I CAN seek this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

I CAN may also need to process special categories of personal data and information about criminal convictions and offences about candidates to respond to and defend against legal claims, where it is necessary to protect your interests (or someone else's interest) and you are not capable of giving consent or where you have already made the information public.

If you decide not to provide personal data

If you do not provide information when requested, which is necessary for us to consider your application, we will not be able to process your application successfully.

Automated decision-making

Our recruitment processes are not based solely on automated decision-making.

Who has access to recruitment data?

Your personal data may be shared internally for the purposes of the recruitment exercise. This includes members of the HR team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

As part of the recruitment process I CAN may share your personal data with third party test providers in order to assist in assessing your suitability for the role for which you are applying. Otherwise the Company will not share your personal data with third parties, unless your application for employment is successful and it makes you an offer of employment. I CAN will then share your personal data with former employers to obtain references for you, and the Disclosure and Barring Service to obtain necessary criminal records checks, if appropriate for the role.

I CAN will not transfer your personal data outside the European Economic Area.

How does I CAN protect your personal data?

I CAN take the security of your personal data seriously. We have put in place appropriate technical and organisational measures to prevent your personal data from being accidentally lost, destroyed, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who need to access it in the proper performance of their roles for I CAN.

They will only process your personal data on our instructions and they are subject to a duty of confidentiality. These measures are in accordance with applicable laws and regulations.

Where I CAN engages third parties to process your personal data on its behalf, they are also obliged to implement appropriate technical and organisational measures to ensure the security of data.

How long will I CAN retain your personal data for?

If your application is successful, personal data gathered during the recruitment process will be transferred to our HR files and retained during your employment or engagement. The periods for which we will continue to hold your personal data will be notified to you in a new privacy notice covering employees, workers and contractors.

If your application is unsuccessful we will retain your personal data for a period of six months after we have communicated our decision to you. We retain your personal data for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal data in accordance with applicable laws and regulations.

If we wish to retain your personal data on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal data for a fixed period on that basis.

Your rights

We have appointed a data protection officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal data, please make contact by emailing Data@ican.org.uk or write to the Director of Corporate Services, 31 Angel Gate, Goswell Road, London EC1V 2PT.

Under certain circumstances, by law you have the right to:

- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of incomplete or inaccurate personal data we hold about you.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal data where we are processing it for our legitimate interests (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer of your personal data to another party** where processing is carried out by automated means.

To find out more about your rights, to exercise any of your rights, or if you have any questions or concerns about data protection at I CAN, email Data@ican.org.uk or write to the Director of Corporate Services, 31 Angel Gate, Goswell Road, London EC1V 2PT.

If you have any concerns or comments about how we use information, we would like to hear from you. Alternatively, you may contact the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues for guidance and advice, or to lodge a complaint. The ICO may be contacted at:

Online: www.ico.org.uk

Post: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545745 (national rate)